



The Corporation of the Town of Milton

Report To: Council

From: Jill Hogan, Commissioner, Development Services

Date: July 18, 2022

Report No: DS-061-22

Subject: Technical Report - Proposed Plan of Subdivision and Zoning By-law Amendment by Milton III-75 Land Limited to permit the development of a residential plan of subdivision applicable to lands known as Part of Lot 8, Concession 5, Milton (File: 24T-18001/M and Z-05/18)

Recommendation: **THAT Town of Milton Council support the granting of Draft Plan Approval by the Commissioner of Development Services for the proposed plan of subdivision (Town file: 24T-18001/M);**

AND THAT Zoning Application Z-05/18 – for an amendment to the Town of Milton Comprehensive Zoning By-law 016-2014, as amended, to change the current Future Development (FD) and Natural Heritage System (NHS) Zones to Residential Medium Density 1 (RMD1) zone, a site specific Residential Medium Density 2 (RMD2*320) zone, a Mixed Use zone with a Holding Symbol (MU*H67), Open Space (OS) zone and Natural Heritage System (NHS) zone, BE APPROVED.

AND THAT WHEREAS the Planning Act limits the ability to apply for a minor variance for a 2-year period following approval of this By-law, BE IT RESOLVED that a privately initiated application for a minor variance may be made;

AND THAT the Provincial Ministers of Health, Education, Transportation and Infrastructure and Metrolinx receive a copy of this report with a request to review and plan for future Milton District Hospital, school and transportation expansions.

EXECUTIVE SUMMARY

The applicant is seeking an amendment to the Town's Zoning By-law to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to Residential Medium Density 1 (RMD1) Zone, a site specific Residential Medium Density 2 (RMD2*320) Zone, Mixed Use with a Holding Symbol (MU-H67) Zone, Open



EXECUTIVE SUMMARY

Space (OS) Zone and Natural Heritage System (NHS) Zone. The changes in zoning is requested to facilitate the development of the lands for a residential plan of subdivision and the future development of a Major Node Block.

The applicant proposes a plan of subdivision consisting of 114 single detached dwellings and 51 street townhomes and a future condominium block consisting of 22 street townhouses. The proposed development also includes a Major Node Block which conceptually includes options for mixed use high density residential and purpose designed high density residential buildings. Additionally, the proposed development includes a village square, a woodlot, a greenland channel and an internal public road network.

All internal Town of Milton departments and responding external agencies have provided correspondence to Town planning staff indicating their support for the applications as currently presented. They have also provided the appropriate conditions of draft plan approval necessary for the Town to consider the approval of these applications. Staff has reviewed all of the documentation, plans and comments provided to date and is of the opinion that the applications as submitted are prepared in a manner that would allow them to be considered by Town Council for approval.

Conclusions and Recommendations

Staff is satisfied that the plan of subdivision, subject to the requested conditions of draft plan approval and the site specific zoning provisions attached as Appendix 1, will conform to Provincial, Regional and Town planning policies and Conservation Halton regulations and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed Zoning By-law Amendment is consistent with the land use policies of the Provincial Policy Statement and conforms to the Regional and Town Official Plans.

Therefore, staff recommends approval of the Zoning By-law Amendment and the draft approval of the plan of subdivision as presented through this Report.

REPORT

Background

Owner:

Milton III-75 Land Limited, 6625 Kitimat Road, Mississauga, ON, L5N 6J1

Applicant/Agent:

Glenn Schnarr & Associates Inc., 10 Kingsbridge Garden Circle, Mississauga, L5R 3K6

Location/Description:

The subject lands, currently vacant, are bounded by Fourth Line to the west, Louis St. Laurent Avenue to the north and James Snow Parkway to the east. Surrounding land uses

Background

include existing residential development to the north and future residential uses to the south and east. Located to the west of the subject lands is a secondary school (Craig Kielburger Secondary School).

Proposal:

The applicant is seeking to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to Residential Medium Density 1 (RMD1) Zone, a site specific Residential Medium Density 2 (RMD2*320) Zone, Mixed Use with a Holding Symbol (MU-H67) Zone, Open Space (OS) Zone and Natural Heritage System (NHS) Zone. The changes in zoning is requested to facilitate the development of the lands for a residential plan of subdivision.

Figure 2 illustrates the proposed concept plan. The applicant proposes a plan of subdivision consisting of 114 single detached dwellings and 51 street townhomes and a future Plan of Condominium (Block 124) consisting of 22 street townhouses and 72 back-to-back townhouses. The proposed development also includes a Major Node Block (Block 125) which conceptually includes options for mixed use high density residential and purpose designed high density residential buildings. The development also includes a 0.35 ha Village Square Block (Block 126), two channel blocks totalling 2.63 ha (Block 133 & 134) and a 3.06 ha woodlot block (Block 130) and associated buffers.

The following reports have been submitted in support of this application and are currently under review:

- Planning Justification Report, dated October 2021, prepared by Glenn Schnarr & Associates.
- Geotechnical Investigation, dated December 5, 2018, prepared by WSP Canada Inc.
- Phase 1 Environmental Site Assessment, dated October 12, 2016, prepared by WSP Canada Inc.
- Phase 1 Environmental Site Assessment Update, dated April 17, 2021.
- Phase 2 Environmental Site Assessment, dated October 13, 2016, prepared by WSP Canada Inc.
- Architectural Control Guidelines, dated June 8, 2018, prepared by John G. Williams Limited.
- Urban Design Brief, dated November 9, 2018, prepared by John G. Williams Limited.
- Third Party Reliance Letter, dated January 2021, prepared by WSP Canada Inc.
- Tree Inventory and Preservation Plan, dated January 18, 2017, prepared by Strybos Barron King.

Background

- Park Block 136 Facility Fit Plan, dated January 21, 2021, prepared by Strybos Barron King.
- Feature Based Water Balance, dated June 21, 2018, prepared by DS Consultants Ltd.
- Stage 1-2 Archaeological Assessment, dated October 18, 2016, prepared by Archaeological Services Inc.
- Environmental Noise Assessment, dated April 26, 2022, prepared by Valcoustics Canada Ltd.
- Transportation Assessment, dated January 19, 2021, prepared by GHD.
- Stormwater Management and Functional Servicing Report, dated April 25, 2022, prepared by A.M. Candaras Associates Inc.
- Scoped Environmental Impact Study, dated September 2018, prepared by Savanta Inc.

The subject lands are designated Residential Area and Natural Heritage System Area as shown on Schedule B - Urban Area Land Use Plan of the Town of Milton Official Plan. The Residential Area designation means that the uses shall be primarily low to medium density residential dwellings. The purpose of the Natural Heritage System is to protect areas which have been identified as having environmental significance and to establish a Natural Heritage System which achieves an enhanced natural habitat and ecological functions that will be resilient to the impacts of the adjacent urban development.

The subject lands are located within the Boyne Survey Secondary Plan and are designated Residential Area, Major Node Area, and Natural Heritage System, as shown on Schedule C.10.C - Boyne Survey Secondary Plan Land Use Plan.

The Residential Area permits a variety of housing types and forms including Medium Density Residential I and II uses, High Density Residential uses and Local Institutional uses and Coach houses. The purpose of the Natural Heritage System is to protect areas which have been identified as having environmental significance and to establish a Natural Heritage System which achieves an enhanced natural habitat and ecological functions that will be resilient to the impacts of the adjacent urban development.

The Major Node Area designation are intended to be the focus of urban activity for surrounding residential neighbourhoods, be pedestrian-oriented and maximize the use of public transit. Permitted uses within the Major Node Area include a variety of high density residential, institutional and office uses, community facilities and retail/commercial uses not exceeding 2,787 square metres in the node.

Section C.10.2.1 e) of the Secondary Plan identifies that overall residential density of at least 40 units per net hectare and an overall density of approximately 70 residents and jobs combined per gross hectare exclusive of lands within the Natural Heritage System is required. Upon completion of the entire Plan of Subdivision, including the Plan of

Background

Condominium block and Major Node Block, the development will accommodate approximately 48 units per net hectare.

Staff reviewed the application in relation to the policies of the Provincial Policy Statement (2017), the Growth Plan (2017), the Halton Region Official Plan and the Town of Milton Official Plan, the Boyne Survey Secondary Plan including the Boyne Survey Tertiary Plan (July 2017), and the Boyne Survey Area 5b Subwatershed Impact Study (SIS). Town staff and our agency partners are satisfied that the draft plan of subdivision and the application for the zoning by-law amendment as presented through this report, conform to the applicable Provincial, Regional and Town land use planning policies and regulations.

Zoning By-law 016-2014, as amended

The subject lands are currently zoned Future Development (FD) and Natural Heritage System (NHS), which do not permit the lands uses being proposed on the subject property. The current Zoning By-law Amendment application proposes to rezone the subject lands from the current Future Development (FD) Zone and Natural Heritage System (NHS) Zone to Residential Medium Density 1 (RMD1) zone, a site specific Residential Medium Density 2 (RMD2*320), Mixed Use with a Holding Symbol (MU-H67) Zone, Open Space (OS) Zone and Natural Heritage System (NHS) Zone. The site specific RMD2*320 zone requires three site-specific provisions to facilitate the proposed development including a reduced lot depth for townhouses (25.0 metres whereas 32.5 metres is required) and a reduced lot depth (13.25 metres from 13.5 metres) and front yard setback for back-to-back townhouse units (4.0 metres from 4.5 metre). With regard to the Holding Symbol, the Region of Halton has requested the Holding to ensure matters related to Servicing Allocation are satisfied to the Region's satisfaction prior to development.

A draft zoning by-law is attached as Appendix 1.

Discussion

Public Consultation and Review Process

Notice for the public meeting was provided pursuant to the requirements of the Planning Act on January 17, 2019 and the statutory public meeting was held on February 11, 2019. One resident spoke and provided comments related to the submitted Environmental Site Assessments provided in support of the application. Staff discuss this further in the Summary of Issues section of this report. Staff also received an email regarding the potential for Bank Swallows to nest within the dirt piles on the site. Staff had provided these comments to our Development Engineering staff to consider through their Site Alteration Permit process.

Agency Consultation

The draft plan of subdivision, zoning by-law amendment and all supportive documents were circulated to both internal and external commenting agencies. Halton Region,



Discussion

Conservation Halton, Town Departments, School Boards and other agencies offered no objection to the applications and requested standard conditions of draft plan approval be applied. Agencies will continue to work with the applicants through the detailed draft approval process.

Summary of Issues

Louis St. Laurent Construction

At the time of the Public Meeting, concern was expressed regarding the construction timing and completion for the Louis St. Laurent road works. This work has now been completed.

Environment Site Assessments

A resident spoke at the Public Meeting with regard to the Environmental Site Assessment report submitted in support of the proposed development. As per Policy 147(17) of the Regional Official Plan, prior to the Region of Local Municipality considering any development, the proponent must identify whether there is any potential for soils on the site to be contaminated. Regional Staff have reviewed the submitted Phase 1 Environmental Site Assessment (ESA) and are in agreement with its conclusion that a Phase 2 ESA is not required. As such, any concerns with potential site contamination have been addressed.

Village Square

The development contains a proposed village square, shown as Block 126 on the Draft Plan. The applicant has submitted a village square concept plan illustrating a playground structure, seating area and pathway connections to the sidewalk, however the ultimate design and construction will be completed by the Town's Community Services Department. These lands will be zoned Open Space (OS) zone to facilitate the development of the village square and conveyed to the Town through the registration of the subdivision.

Major Node Development

Located at the southwest corner of the subject lands, at the intersection of Louis St. Laurent Avenue, are lands designated Major Node Area within the Boyne Survey Secondary Plan. The Major Node Area designation means that the main uses permitted may include a variety of high density residential, institutional, office uses and community facilities, as well as limited retail (among other uses described under Section C.10.5.6.2 of the Secondary Plan. Through the current Zoning By-law Amendment application, the applicants have proposed to rezone the lands to a Mixed Use (MU) zone to bring the lands in line with the permissions granted under the Secondary Plan. In support, the applicants have submitted an Urban Design Brief for the Major Node Block, prepared by John G. Williams Limited, Architect. The brief proposes two preliminary concept plans for the Node demonstrating how the direction of the Secondary Plan is being achieved. The first option includes three six-storey mixed use buildings, plus amenity area and underground parking.



Discussion

The second concept shows a mix of 3-storey stacked townhouse buildings and two eight-storey mixed use apartment buildings. The applicants are not seeking approval of these specific developments at this time, rather demonstrating how a high density development can be accommodated within the block. The block will be developed through a future Site Plan application, and any site specific zoning provisions required to accommodate the development will be required to receive approval from the Town of Milton Committee of Adjustment or Council. As noted previously, the Region of Halton has indicated that the applicant requires additional servicing allocation in order to proceed with the development of this block and have asked that a Holding Provision be placed on the Mixed Use zoning until such time as servicing allocation has been acquired.

Conclusion

Staff is satisfied that the plan of subdivision (Figure 2), subject to the required conditions of draft plan approval and the site specific zoning by-law and associated provisions attached as Appendix 1, will conform to Provincial, Regional and Town land use planning policy and achieves acceptable engineering and design standards. Planning staff is also satisfied that the proposed zoning by-law amendment is consistent with the Provincial Policy and conforms to the Region of Halton and Town of Milton Official Plans. Therefore, staff recommends approval of the draft zoning by-law amendment and the granting of draft plan approval to the plan of subdivisions.

Financial Impact

None arising from the approval of this report.

Respectfully submitted,

Jill Hogan
Commissioner, Development Services

For questions, please contact: Aaron Raymond, MCIP, RPP, Senior Planner, Development Phone: Ext. 2313

Attachments

Figure 1 - Location Map
Figure 2 - Draft Plan of Subdivision
Appendix 1 - Zoning By-law and Schedule A
Appendix 2 - Public Comments

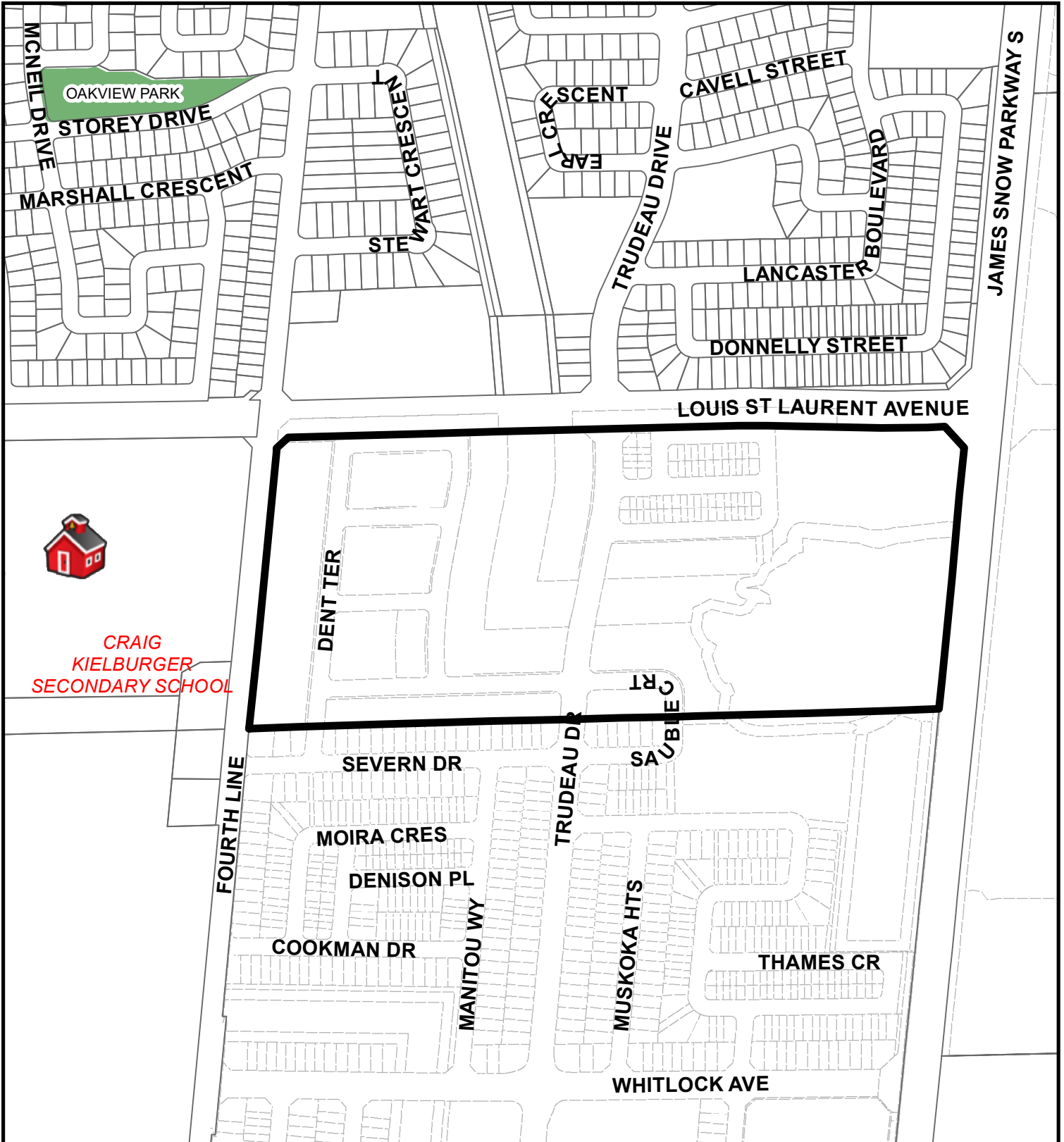


Approved by CAO
Andrew M. Siltala
Chief Administrative Officer

Recognition of Traditional Lands

The Town of Milton resides on the Treaty Lands and Territory of the Mississaugas of the Credit First Nation. We also recognize the traditional territory of the Huron-Wendat and Haudenosaunee people. The Town of Milton shares this land and the responsibility for the water, food and resources. We stand as allies with the First Nations as stewards of these lands.

FIGURE 1 LOCATION MAP

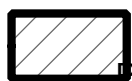


Council Meeting Date:
July 18, 2022

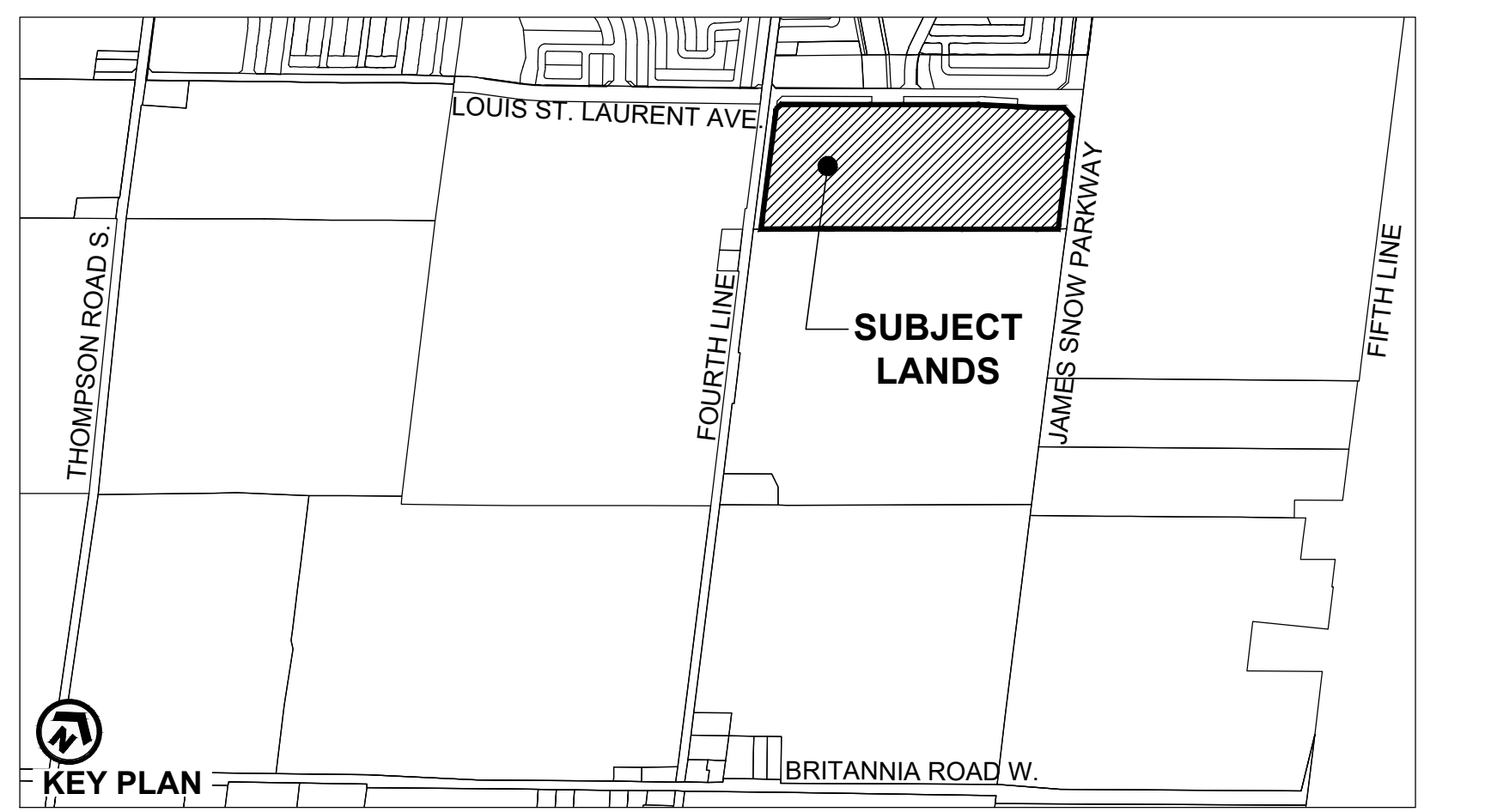
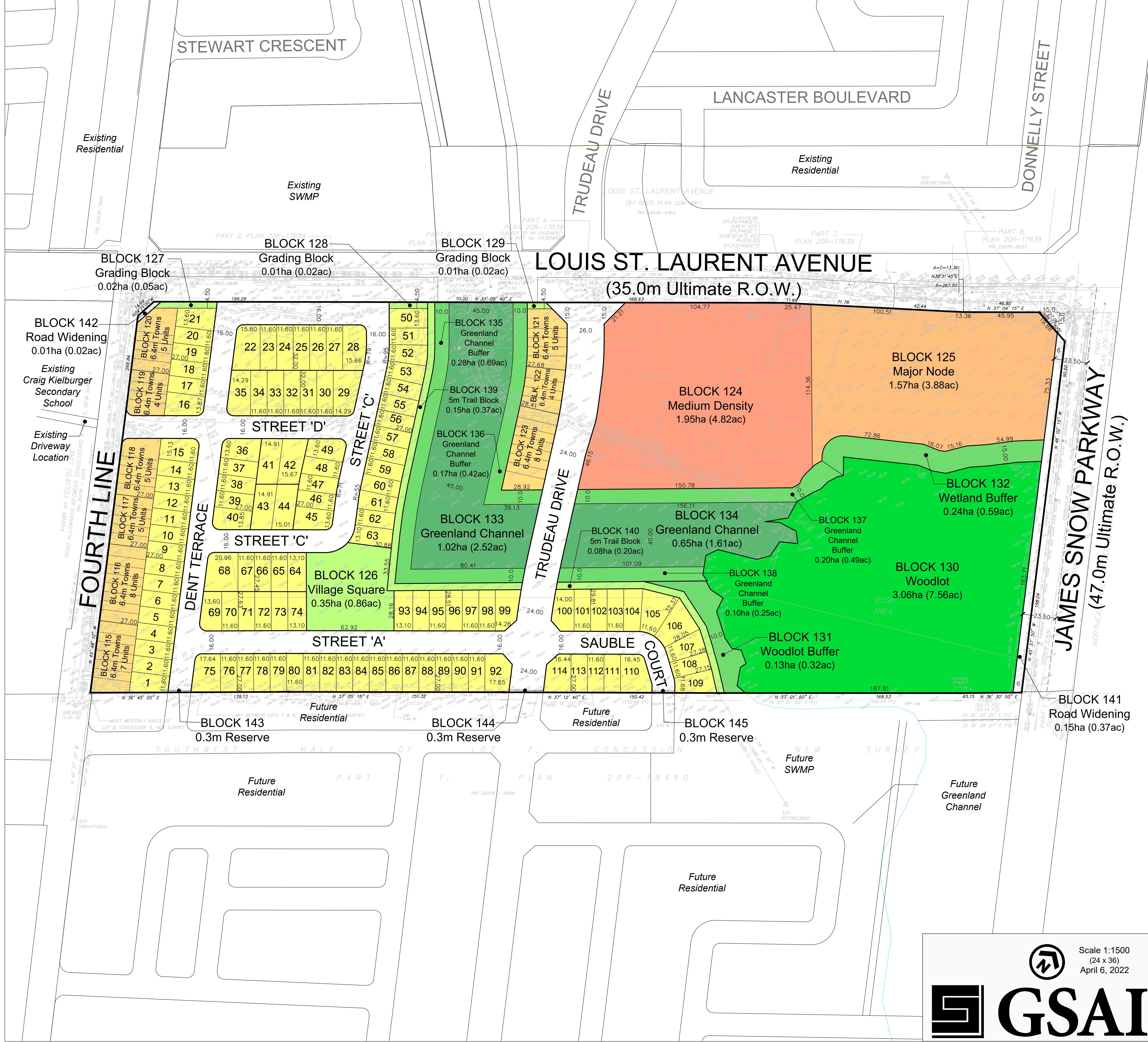
Scale: 1: 5,500

Files: Z-05/18

Development Services Department



Subject Property
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**DRAFT PLAN OF SUBDIVISION
MILTON III-75 LAND LIMITED**
FILE # 24T-18001/M
PART OF LOT 8, CONCESSION 5, NEW SURVEY
TOWN OF MILTON
REGIONAL MUNICIPALITY OF HALTON

OWNERS CERTIFICATE
I HEREBY AUTHORIZE GLEN SCHNARR & ASSOCIATES INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF MILTON FOR APPROVAL.

SIGNED: *[Signature]* DATE: December 20, 2016
Tom Baskerville, V.P. Development
Milton III-75 Land Limited

SURVEYORS CERTIFICATE
I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE CORRECTLY AND ACCURATELY SHOWN.

SIGNED: *[Signature]* DATE: December 15, 2016
Jaime Gelbloom, B.Sc., O.L.S., C.L.S., O.L.I.P.
J.H. GELBLOOM SURVEYING LIMITED
476 MORDEN ROAD, UNIT 102
OAKVILLE ON, L6K 3W4
Phone: (905) 338-8210

ADDITIONAL INFORMATION
(UNDER SECTION 51(17) OF THE PLANNING ACT) INFORMATION REQUIRED BY CLAUSES A,B,C,D,E,F,G,J, & L ARE SHOWN ON THE DRAFT AND KEY PLANS.

- H) MUNICIPAL AND PIPED WATER TO BE PROVIDED
- I) SANDY LOAM AND CLAY LOAM
- K) SANITARY AND STORM SEWERS TO BE PROVIDED

LAND USE SCHEDULE

LAND USE	BLOCKS	AREA (ha)	AREA (ac)	UNITS	Density UPHA	SDE
Single Detached - 11.6m (38')	1-114	4.10	10.13	114	27.8	114.0
Street Townhomes - 6.4m (21')	115-123	1.04	2.57	51	49.0	38.8
Medium Density	124	1.95	4.82			
Major Node	125	1.57	3.88			
Village Square	126	0.35	0.86			
Grading Block	127-129	0.04	0.10			
Woodlot	130	3.06	7.56			
Woodlot Buffer	131	0.13	0.32			
Wetland Buffer	132	0.24	0.59			
Greenland Channel	133,134	1.67	4.13			
Greenland Channel Buffer	135-138	0.75	1.85			
5m Trail Block	139,140	0.23	0.57			
Road Widening	141,142	0.16	0.40			
0.3m Reserve	143-145	0.00	0.00			
26.0m R.O.W. (86m Length)		0.25	0.62			
24.0m R.O.W. (189m Length)		0.46	1.14			
16.0m R.O.W. (1,097m Length)		1.79	4.42			
TOTAL	145	17.79	43.96	165	32.1	152.8

NOTES
 -Louis St. Laurent Avenue & James Snow Parkway intersection Daylight Triangle - 15.0m x 15.0m
 -Louis St. Laurent Avenue & Trudeau Drive intersection Daylight Triangle - 15.0m x 15.0m
 -Louis St. Laurent Avenue & Fourth Line intersection Daylight Triangle - 15.0m x 15.0m
 -Local to Collector Daylight Triangle - 7.5m x 7.5m
 -Local-local daylight radii - 5m
 -SDE Factors: Single Detached - 1.0, Townhomes - 0.76

Scale 1:1500
(24 x 36)
April 6, 2022

Aaron Raymond

From: Struk, Roxanne (EC)
Sent: Friday, July 19, 2019 9:51 AM
To: Aaron Raymond
Subject: Bank Swallows at Milton 111-75 Land Limited

Good morning Aaron,

I am following up on our telephone conversation on July 17, 2019 regarding the development at "Milton 111-75 Land Limited" off of Louis St. Laurent Ave. in Milton. As discussed the stockpiles of sand on this plot of land show signs of a Bank Swallow colony nesting at this site at one time. It appears that there is no recent nesting activity at present time so as long as that remains the case there is no issue with moving forward with development on this site, specifically moving the sand pile.

Further to our conversation, the purpose of me reaching out to you was to inform the Town of Milton and the developer for this land of the potential for future impact on nesting Bank Swallows. Any impact, of course, is dependent on the Bank Swallows returning to this site and time of year that development is planned. It is my intent that by reaching out to you and providing this information that future plans for the site (and other similar sites) can include awareness of this potential issue and preventative measures can be taken to mitigate any impact to nesting birds and thus minimize the possibility of contravening the Migratory Birds Convention Act.

I had indicated to you that I would forward you more information on this matter for your reference. I have included a link to a document for your review which is specific to [Bank Swallows](#). As well I have included an excerpt from information that the Canadian Wildlife Service provides in these matters.

"As you may know, under the Migratory Birds Convention Act, 1994 (MBCA), all migratory birds, eggs and nests are protected. For a list of the species protected, please refer to the [Birds Protected in Canada webpage](#). It is important to note that some species of birds protected under the MBCA have also been listed in Schedule 1 of the [Species at Risk Act](#) (SARA). These species receive protection from both the MBCA and SARA. One key responsibility under the [MBCA](#) which is stipulated in the associated [Migratory Birds Regulations](#) (MBR) relates to the protection of migratory birds and their nests:

6. Subject to subsection 5(9), no person shall
(a) disturb, destroy or take a nest, egg, nest shelter, eider duck shelter or duck box of a migratory bird, or
(b) have in his possession a live migratory bird, or a carcass, skin, nest or egg of a migratory bird
except under authority of a permit

To minimize the possibility of contravening the law, proponents must understand the potential effect(s) of their activities on migratory birds, nests, and eggs and implement appropriate avoidance and mitigation measures. Although disturbance or destruction of migratory bird nests and eggs is prohibited under the Act and Regulations (except under authority of a permit), it is important to note that the removal of trees in itself is not necessarily prohibited by the MBCA and MBR, providing the activity does not disturb or destroy migratory bird nests or eggs.

To this end, Environment and Climate Change Canada (ECCC) recommends that non-intrusive survey methods, such as point counts, be used to determine whether migratory birds are breeding in the area where the activity is planned. If signs of nesting or breeding are detected, ECCC recommends:

- halt all disruptive activities,
- avoid disturbing surrounding vegetation,
- protect the nest with a buffer zone,

- avoid the immediate area until the young have left the vicinity of the nest
- avoid, adapt, reschedule or relocate planned activities

Additional information on avoiding harm to migratory birds is available on our [website](#). Specifically, the following pages may provide information of use to you:

- Published [general nesting periods](#) support planning activities;
- The [nesting calendar query tool](#); and,
- Technical information for how to [determine the presence of a nest](#).

This advice does not provide an authorization for harming or killing migratory birds or for the disturbance, destruction or taking of nests or eggs under the MBR. It does not provide a guarantee that implementing the recommended measures will avoid contravening the MBR or other laws and regulations because each situation must be assessed individually. The guidance provided is not intended to be relied on as official advice concerning the legal consequences of any specific activity. It is not a substitute for the MBCA, the MBR, or any other legislation.

Thank you for your continued engagement in the conservation of migratory birds in Canada. If, after reading through the information on our [website](#), you have additional questions please contact " - the Canadian Wildlife Service at 613-990-8355

Thank you again Aaron for returning my call and speaking with me. Please reach out to me as well should you have further questions and please feel free to forward this information and my contact to the developer of this land.

Regards,

Roxanne Struk

Wildlife Officer / Agent de conservation de la faune

Wildlife Enforcement Directorate / Direction de l'application de la loi sur la faune

Environment Canada / Environnement Canada

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February 12, 2019

Public Meeting – February 11, 2019

Milton III – 75 Lands

Corporate Reception,
Town of Milton
Corporate Services Department, Town Clerk's Division

RE: Public Meeting Questions - Milton III – 75 Lands

Please find below my questions raised for “Milton III – 75 Lands project” during the February 11, 2019 public meeting. Depending on the reply from Council and Town representatives, supplemental questions may be forwarded in future. Just for the Town and Council records, I have saved environmental site assessment (ESA) reports for future references.

Question from Town Council

Phase One ESA - Owner of property confirmed to consultant that soil stockpiled at northwest side of the property was collected from residential development lands located north to the property. Consultant conducted chemical testing on stockpiled soil and concluded that stockpile soil is contaminated.

Q1: Why residential subdivision north to the property was developed on contaminated land?

Q2: Was this information disclosed to public?

Q3: Was this information shared with Ministry of Environment, Conservation and Parks (MECP) and legislative authorities?

Questions from Town Staff

Q1: When applicant submitted the Phase One and Phase Two ESAs reports to the Town of Milton? Date?

Q2: Confirm if Town staff reviewed Phase One and Phase Two Environmental Site assessment prepared by applicant's consultant before February 11, 2019 public meeting?

Q3: If Town has no capacity to review, were these reports sent to outside Town (Region or 3rd party) for review before February 11, 2019?

Q4: Consultant indicated that Phase One and Phase Two ESA reports were prepared in accordance with the O.Reg. 153/04, amended. What is Town's opinion? Were these reports meet the requirement set under O. Reg. 153/04, amended?

Q5: If reports were not met the requirement of Regulation 153/04, amended, what next actions suggested to applicant by the Town staff?

Very Important Q6: Why consultant included Ecologs in the Phase One ESA report prepared under Regulation 153/04, amended, whereas no filing of Record of Site Conditions required for this property?

Thanks

Arshad Shaikh

[REDACTED]

THE CORPORATION OF THE TOWN OF MILTON

BY-LAW XXX-2022

BEING A BY-LAW TO AMEND THE TOWN OF MILTON COMPREHENSIVE ZONING BY-LAW 016-2014, AS AMENDED, PURSUANT TO SECTION 34 OF THE *PLANNING ACT* IN RESPECT OF THE LANDS DESCRIBED AS PART OF LOT 8, CONCESSION 5, FORMER GEOGRAPHIC TOWNSHIP OF TRAFALGAR, TOWN OF MILTON, REGIONAL MUNICIPALITY OF HALTON (MILTON III-75 LAND LIMITED) - FILE: Z-05/18

WHEREAS the Council of the Corporation of the Town of Milton deems it appropriate to amend Comprehensive Zoning By-law 016-2014, as amended;

AND WHEREAS the Town of Milton Official Plan provides for the lands affected by this by-law to be zoned as set forth in this by-law;

NOW THEREFORE the Council of the Corporation of the Town of Milton hereby enacts as follows:

1. **THAT** Schedule A to Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by changing the existing Future Development (FD) and Natural Heritage System (NHS) Zones to Residential Medium Density 1 (RMD1) zone, a site specific Residential Medium Density 2 (RMD2*320) zone, a Mixed Use zone with a Holding Symbol (MU-H67), Open Space (OS) zone and Natural Heritage System (NHS) zone symbol on the land shown on Schedule A attached hereto.
2. **THAT** Section 13.2 of By-law 016-2014, as amended, is hereby further amended by adding Section 13.2.110 to read as follows:

For Lands with Holding Provision H67, the H67 Holding Provision shall not be removed until the Owner has addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton. The Region of Halton shall provide written confirmation that these matters have been addressed:

- a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;
- b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;
- c) The Owner shall have made all required payments associated with the Allocation Program; and,
- d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner's Notice (PWCN) letter."

3. **THAT** Section 13.1.1 of Comprehensive Zoning By-law 016-2014, as amended, is hereby further amended by adding Section 13.1.1.320 to read as follows:
- a. Notwithstanding any provisions of the By-law to the contrary, for lands zoned Residential Medium Density 2 - Site Specific (RMD2*320) zone the following standards and provisions shall apply
 - i. Notwithstanding Table 6D, the minimum Lot Depth for a Townhouse Dwelling on a Lane is 25.0 metres;
 - ii. Notwithstanding Table 6D, the minimum Lot Depth for a Back-To-Back Townhouse Dwelling shall be 13.25 metres; and
 - iii. Notwithstanding Table 6D, the minimum Front Yard Setback for a Back-To-Back Townhouse Dwelling shall be 4.0 metres.
4. If no appeal is filed pursuant to Section 34(19) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended, or if an appeal is filed and the Ontario Land Tribunal dismisses the appeal, this by-law shall come into force on the day of its passing. If the Ontario Land Tribunal amends the by-law pursuant to Section 34 (26) of the *Planning Act*, as amended, the part or parts so amended come into force upon the day the Tribunal's Order is issued directing the amendment or amendments.

PASSED IN OPEN COUNCIL ON JULY 18, 2022

Gordon A. Krantz Mayor

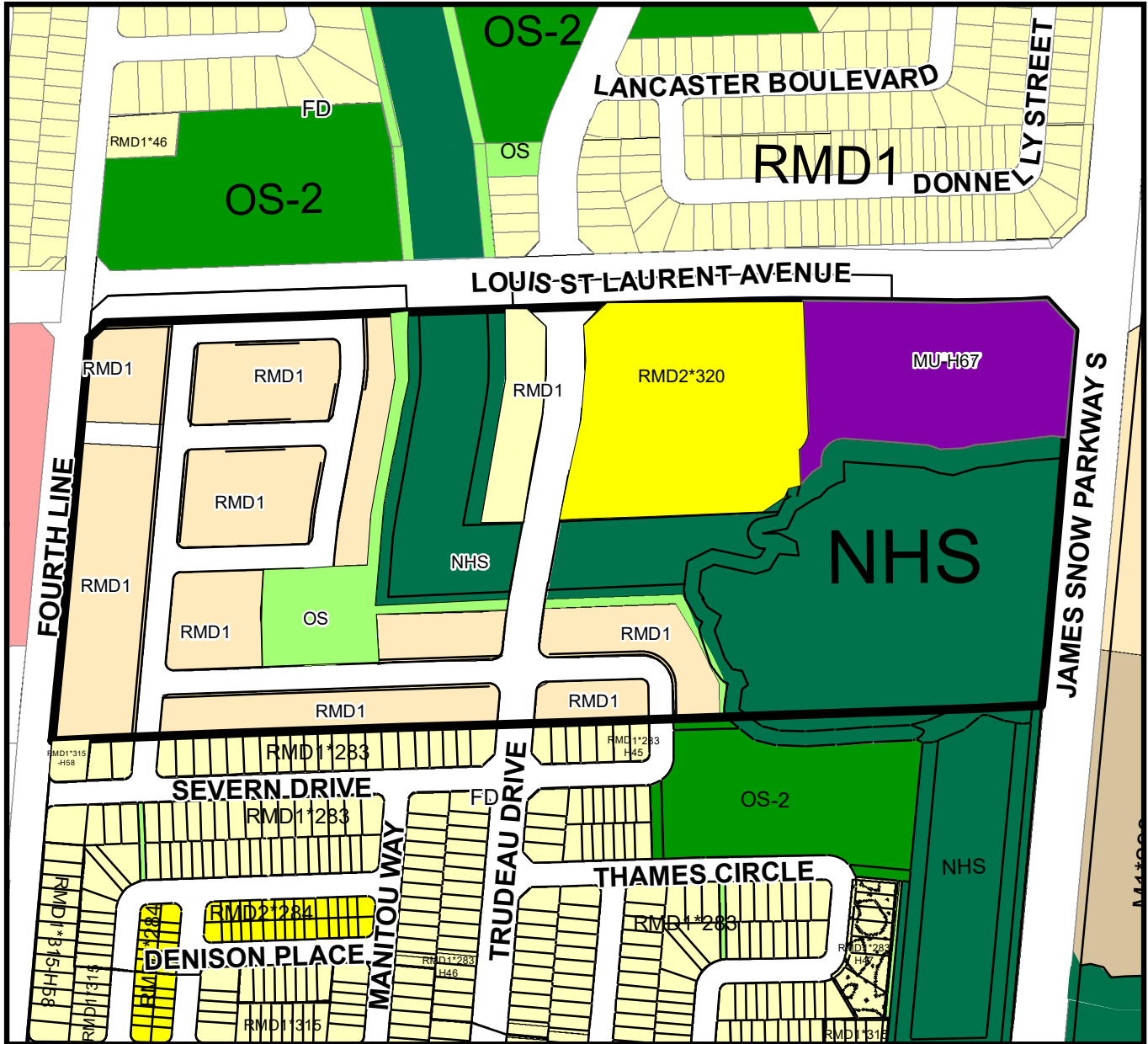
Meaghen Reid Town Clerk

SCHEDULE A
TO BY-LAW No. -2022

TOWN OF MILTON

PART LOT 7 CONCESSION 5 TRAFALGAR NEW SURVEY &
PART OF PART 1 RP 20R8701 & PART 2 RP 20R17505

Town of Milton



THIS IS SCHEDULE A
TO BY-LAW NO. _____ PASSED
THIS ___ DAY OF _____, 2022.

- MU-H67 - Mixed Use Zone with Holding
- OS - Open Space Zone
- RMD1 - Medium Density Residential 1 Zone
- RMD2*320 - Medium Density Residential 2 Zone
- Special NHS - Natural Heritage System Zone

MAYOR - Gordon A. Krantz

CLERK- Meaghen Reid

